

1
2
3
4
5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**

7 GUSTAVO ZAMORA DEL CASTILLO,

8 *Petitioner,*

2:12-cv-01387-JCM-PAL

9 vs.

10 ORDER

11 JANET NAPOLITANO, *et al.*,

12 *Respondents.*

13
14 The represented petitioner has filed a habeas petition under 28 U.S.C. § 2241 seeking
15 to challenge his detention by immigration authorities without either paying the filing fee or filing
16 an application to proceed *in forma pauperis*. Given the nature of the petition presented, it
17 does not appear that a dismissal without prejudice of this improperly-commenced action will
18 constitute the functional equivalent of a dismissal with prejudice.

19 IT THEREFORE IS ORDERED that this action is DISMISSED without prejudice to the
20 filing of a new petition in a new action under a new docket number accompanied by either the
21 required filing fee or a properly completed application to proceed *in forma pauperis*.

22 The clerk of court shall enter final judgment accordingly, dismissing this action without
23 prejudice.

24 DATED: August 15, 2012.

25
26 
27 _____
28 JAMES C. MAHAN
 United States District Judge